

case” and “prosecute or defend the action diligently.” E.D. Tenn. L.R. 83.13. It also states that “[f]ailure of a pro se plaintiff to timely respond to an order . . . may result in dismissal of the case.”

Id. When contemplating dismissal under Rule 41(b),

a court must consider: (1) whether the party’s failure to cooperate is due to willfulness, bad faith, or fault; (2) whether the adversary was prejudiced by the dilatory conduct of the party; (3) whether the dismissed party was warned that failure to cooperate could lead to dismissal; and (4) whether less drastic sanctions were imposed or considered before dismissal was ordered.

Steward, 8 F. App’x at 296 (citing *Stough v. Mayville Cmty. Schs.*, 138 F.3d 612, 615 (6th Cir. 1998)).

On this record, the Court is compelled to dismiss Plaintiffs’ action. Plaintiffs have willfully failed to comply with the Court’s Order to Show Cause [Doc. 16], failed to comply with the Court’s Local Rules, and failed to prosecute this action diligently. This case has been pending for nearly two and a half years with little to no substantive movement. The Court expressly warned Plaintiffs that failure to promptly respond to the Court’s Show Cause Order “will result in dismissal of this action” [*Id.*]. Likewise, this Court’s local rules counsel in favor of dismissal here. *See* E.D. Tenn. L.R. 83.13. Given Plaintiffs’ multiple and repeated failures, a less drastic sanction is not appropriate. Accordingly, the Court **DISMISSES** this action **with PREJUDICE** pursuant to Rule 41(b). An appropriate judgment shall enter.

IT IS SO ORDERED.

s/ Katherine A. Crytzer
KATHERINE A. CRYTZER
United States District Judge